

Bayfield County Clerk

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Paige Terry, Clerk III

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Minutes

Monthly Meeting of the Bayfield County Board of Supervisors

August 29, 2023

Meeting Held in the Bayfield County Board Room, Courthouse, Washburn, WI

Call to Order: The monthly meeting of the Bayfield County Board of Supervisors was called to order at 6:00 p.m. by Bayfield County Board Chairman, Dennis M. Pocernich. A roll call was taken by County Clerk, Lynn Divine, as follows: Mary Dougherty-present; Charly Ray-arrived late; Jeremy Oswald-present; Steve Sandstrom-present; Larry Fickbohm-present; Jeff Silbert-absent; Fred Strand-present; Marty Milanowski-present; Madelaine Rekemeyer-present; John Rautio-present; Dennis Pocernich-present; Brett Rondeau-absent; Jim Crandall-present. Total: 11 present, 2 absent. A quorum was present to conduct business.

Others Present: County Administrator- Mark Abeles-Allison; County Clerk- Lynn M. Divine; UW Extension Housing Educator- Kelly Westlund; UW Extension Area Director-Mary Pardee; Human Services Director- Elizabeth Skulan; Northern Lights Board Member-Ellen Avol-Law; Northern Lights Board Director-Peter Bremner; Cinnaire Solutions Vice President, Development-Nicole Solheim; and Clerk III- Paige Terry

Pledge of Allegiance and Moment of Silence for Marco Bichanich and Tom Rondeau: The Pledge of Allegiance was recited by all in attendance. The board held a moment of silence for former board members Marco Bichanich and Tom Rondeau. Abeles-Allison read a small paragraph provided from former board member Tom Gordon speaking about his time on the board with Tom Rondeau.

Public Comment: None.

Bayfield County Resolution No. 2023-82:

Bayfield County 2023 Fair Recognition and Proclamation

WHEREAS, the County Fair celebrates Bayfield County, its people and culture; *and,*

WHEREAS, people of all ages participate in the Fair, from the very young exhibiting their projects, to the superintendents with years of experience; *and,*

WHEREAS, any resident of the State of Wisconsin can enter items for judging at the Bayfield County Fair; *and,*

WHEREAS, Bayfield County was able to offer free entry to exhibitors due to a grant which attracted 180 new exhibitors to the Fair this year, *and,*

WHEREAS, the Fair involves a diverse group of participants ranging from the members of the county's 4H clubs, implement dealers, Tuff Truck racers, Dirt Dash organizers and participants, youth pedal tractor pull contestants, 3 on 3 basketball teams, volunteers, and sponsors; *and,*

WHEREAS, holding a county fair is a major event requiring a substantial amount of planning, coordinating, organizing and promoting; *and,*

WHEREAS, the Bayfield County Fair has a significant impact on the Town of Iron River and the Fair's success would be impossible without the help of the Town, area Fire Departments, Emergency Medical Services and the whole community; *and*,

WHEREAS, the Bayfield County Fair Committee and staff worked tirelessly in 2023 to prepare for this year's event; *and*,

WHEREAS, as Director of the Tourism Department, Mary Motiff has led the Fair effort for thirteen years now with a team that this year included: David Eades, Molly McCool, McKenzie Tuura, Harvey Anderson, John Kurak, and Steve Marefka, along with Jessica Soulier from DHS, staff from the Highway Department, dozens of volunteers and temporary staff;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 29th day of August 2023, do hereby recognize the Bayfield County Fair Committee members Chair Larry Fickbohm, Vice Chair Steve Sandstrom, Jim Crandall, Jeremy Oswald, John Rautio AND the Bayfield County Fair Staff; *and*,

BE IT FURTHER RESOLVED, that in anticipation of the 2024 Bayfield County Fair, the Bayfield County Board of Supervisors, do hereby Proclaim the month of June 2024 as Fair Engagement Month in Bayfield County.

Tourism Director, Mary Motiff, delivered a presentation on the 2023 Bayfield County Fair. Motiff reviewed a comparison summary of numbers this year compared to previous years.

Motion by Oswald, seconded by Fickbohm to adopt Resolution No. 2023-82 Bayfield County 2023 Fair Recognition and Proclamation. Motion carried, 10-0, 3 absent.

Minutes from July 25, 2023: *Motion by Milanowski, seconded by Rekemeyer to approve the July 25, 2023 Minutes from the Monthly Bayfield County Board of Supervisors Meeting, Motion carried, 10-0, 3 absent.*

First Amendment to the Cinnaire Housing Development Agreement and First Amendment to Option to Purchase Agreement: Kelly Westlund, UW Extension Housing Educator, distributed an updated version of the first amendment to Option to Purchase Agreement to the board. Cinnaire Solutions Vice President of Development, Nicole Solheim, reported that the project was not funded during the first application but Cinnaire will be submitting another application to WHEDA. Solheim explained that the amendment would extend the agreement by another year and the amendment incorporates the Right of First Refusal into the agreement. Abeles-Allison informed the board that corporation counsel has reviewed the modifications and found no issues.

Motion by Crandall, seconded by Sandstrom to approve the Cinnaire Housing Development Agreement and First Amendment to the Option to Purchase Agreement. Motion carried, 13-0, 3 absent.

6:28 p.m. – The board moved to item 12 and 13 on the agenda to accommodate Humans Services Director, Elizabeth Skulan's time.

Bayfield County Department of Human Services 2022 Annual Report: Human Services Director, Elizabeth Skulan, delivered the 2022 Annual Report. The department began to see some rebound activity in 2022 after the COVID-19 pandemic with increases in programs that were previously experiencing a decline. Use of the senior meal program has declined while the transportation and congregate meal program usage has increased. Fickbohm asked if the department was fully staffed. Skulan replied that the department was in the process of extending an offer for a support services position and there is one vacancy in the family services section.

Motion by Oswald, seconded by Rautio to receive and place on file the Department of Human Services 2022 Annual Report. Motion carried, 10-0, 3 absent.

Bayfield County Resolution No. 2023-85:

Resolution to Designate the Department of Human Services to Receive Coordinated Services Team (CST) Funding

WHEREAS, the goal of Coordinated Services Teams (CST) is to keep children with multiple needs in their communities through the establishment of a comprehensive, coordinated, and community-based system of care centered on the individual using a wrap-around model; *and*,

WHEREAS, the Wisconsin Department of Health Services allocates counties \$60,000 per year and requires the County Board of Supervisors to designate a county agency to receive CST funding and the County establish a CST Coordinating Committee prior to a contract being issued; *and*,

WHEREAS, Human Services staff recommends, due to the anticipated overlap of children served and the complementing nature of the programs, the existing Childrens Community Options Program (CCOP) Committee be designated as the CST Coordinating Committee and the duties of the two committees be combined; *and*,

WHEREAS, CST funding will be providing to Bayfield County commencing in fiscal budget year 2024;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 29th day of August 2023, designates the Bayfield County Department of Human Services as the appropriate agency to receive Coordinated Services Team (CST) funding from the Wisconsin Department of Health Services for the purpose of providing wrap-around services to youth and families within Bayfield County, subject to a required 20 percent match which is included in the 2024 DHS Budget; *and*,

BE IT FURTHER RESOLVED, that the Bayfield County Board of Supervisors hereby establishes a Coordinated Services Team (CST) Coordinating Committee with members of the existing Childrens Community Options Programs (CCOP) Committee.

Skulan explained that the resolution is one of the requirements to apply for funding and informed the board that the application is not available yet but will be available in 2024.

Motion by Crandall, seconded by Milanowski to adopt Resolution No. 2023-85 Resolution to Designate the Department of Human Services to Receive Coordinated Services Team (CST) Funding. Motion carried, 10-0, 3 absent.

Bayfield County Resolution No. 2023-83:

Resolution Regarding Budget Amendment to Support Development of a Housing Community Land Trust

WHEREAS, there is a housing shortage in Bayfield County; *and*,

WHEREAS, Bayfield County Board of Supervisors has identified addressing the housing need as a top priority; *and*,

WHEREAS, Bayfield County has taken a proactive and multi-pronged approach to increasing access to affordable housing and affordable home ownership; *and*,

WHEREAS, Bayfield County representatives and staff have participated, along with other local partners in the Wisconsin Housing and Economic Development Administration (WHEDA) Rural Workforce Affordable Housing Initiative (RAWHI) Pilot Program; *and*,

WHEREAS, the WHEDA RAWHI Pilot Team has identified the development of a Community Land Trust (CLT) as a critical component of organizational infrastructure needed in the region to address housing needs and increase access to permanently affordable housing; *and*,

WHEREAS, a CLT seeks to increase the inventory of permanently affordable homes through acquisition, rehabilitation and resale of homes to income qualified residents; *and*,

WHEREAS, CLTs are successfully operating in several other Wisconsin communities and are viewed as an important offering for communities of all sizes; *and*,

WHEREAS, the development of a CLT requires technical assistance; *and*,

WHEREAS, WHEDA has allocated \$50,000 in funding reimbursement to Bayfield County for the purpose of offsetting the cost of consulting and legal expenses related to the development of a Community Land Trust;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 29th day of August, 2023 approves a budget amendment in the amount of \$50,000 for the purposes of consulting and legal fees related to the development of a Community Land Trust; *and*,

BE IT FURTHER RESOLVED, that Bayfield County is not obligated to further support the development of a CLT beyond this consulting agreement.

Westlund reported that the county had submitted a proposal to WHEDA for establishing a Community Land Trust which was approved for \$50,000 in funding to assist with the first phase in getting the organization up and running. A contractor for the project has been selected and the contract should be finalized September 1, 2023. Oswald asked if Westlund would be bringing the final contract before the board. Abeles-Allison stated that progress reports and the final project may come before the board, but not the contract.

Motion by Oswald, seconded by Sandstrom to adopt Resolution No. 2023-83 Resolution Regarding Budget Amendment to Support Development of a Housing Community Land Trust. Motion carried, 10-0, 3 absent.

Regional Housing Coalition Charter Membership: Westlund reported that there is a HUD grant opportunity that requires documentation of community support and collaboration regarding housing. Westlund stated that the charter membership would formalize the group that has already been tackling the housing problem in the community and open up the topic for more support and participation in the group. *Motion by Sandstrom, seconded by Dougherty to approve Bayfield County's membership in the Chequamegon Bay Regional Housing Coalition Charter. Motion carried, 10-0, 3 absent.*

Westlund distributed a summary sheet regarding the HUD's grant opportunity. Oswald asked if the relationship with Cinnaire could be utilized with the opportunity. Westlund stated that the option has not yet been explored or laid out yet as efforts have focused on the agreement amendment.

Northern Lights Ad Hoc Study Committee Final Report: Abeles-Allison reviewed the committee's final report with the board. *Motion by Fickbohm, seconded by Dougherty to receive and place on file the Northern Lights Ad Hoc Study Committee Final Report. Motion carried, 10-0, 3 absent.*

Bayfield County Resolution No. 2023-84:

Northern Lights Operational Assessment and Budget Amendment

WHEREAS, Bayfield County is committed to support having a nursing home in Bayfield County; *and*,

WHEREAS, Bayfield County and Northern Lights have a long standing relationship;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 29th day of August, 2023 agrees to pay for an operational assessment of up to \$40,000 in 2023; *and*,

BE IT FURTHER RESOLVED, that the board hereby authorizes funds for the operational assessment from ARPA Funds

276-00-54210-50290: \$40,000

Chairman Pocernich asked that the board take no action on the item. Abeles-Allison reviewed the resolution with the board. Board members expressed concern regarding the financial implications brought forward by the final report. After extensive discussion, the board agreed to defer the item back to the Study Committee to solicit an RFP for professional management of Northern Lights and report back to the board in September on the actions and results.

No action was taken at this time. Northern Lights Board Director, Peter Bremner, commented on the relationship between Northern Lights and Bayfield County and spoke on the difficulties being faced by Northern Lights as well as the facility's importance.

7:12 p.m. – Charly Ray joined the meeting.

7:13 p.m. – The board took a short recess.

7:24 p.m. – The board reconvened.

Bayfield County Resolution No. 2023-86:

Bayfield County DNR Cost-Share Grant – Zoning Code Rewrite

WHEREAS, Bayfield County is interested in obtaining a cost-share grant from the Wisconsin Department of Natural Resources (DNR) for the purpose of a Bayfield County Zoning Code Rewrite; *and*,

WHEREAS, Bayfield County is looking to update the Zoning Code to ensure the code is compliant with State and Federal Natural Resource Laws; *and*,

WHEREAS, the Zoning Code rewrite would provide clear language to assist applicants; *and*,

WHEREAS, Water resources are a top priority for the Bayfield County Board; *and*,

WHEREAS, Protecting and ensuring natural resource conservation is a priority; *and*,

WHEREAS, the respondent attests to the validity and veracity of the statements and representations contained in the application; *and*,

WHEREAS, an Agreement/Contract is required to carry out the project;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 29th day of August, 2023 supports the submittal of a DNR Cost-Share Grant to rewrite the Bayfield County Zoning Code; *and*,

BE IT FURTHER RESOLVED, that Bayfield County will meet the financial obligations necessary to fully and satisfactorily complete the project and hereby authorizes and empowers the following officials or employees to submit the following documents to the DNR for financial assistance that may be available;

Task	Title of Authorized Representative	Email Address and Phone if Alternative is Used
Sign and submit application	County Admin	Mark.abeles-allison@bayfieldcounty.wi.gov
Enter into an Agreement/Contract with the DNR	County Admin	Mark.abeles-allison@bayfieldcounty.wi.gov
Submit required reports to the DNR to satisfy the Agreement/Contract, as appropriate	Planning and Zoning Director	Ruth.hulstrom@bayfieldcounty.wi.gov
Submit reimbursement request(s) to the DNR per the Agreement/Contract	Planning and Zoning Director	<i>Same as above</i>
Sign and submit other documentation as necessary to complete the project per the Agreement/Contract	Planning and Zoning Director	<i>Same as above</i>

BE IT FURTHER RESOLVED, that the respondent will comply with all local, state, and federal rules, regulations, and ordinances relating to this project and the cost-share Agreement/Contract.

Motion by Oswald, seconded by Milanowski to adopt Resolution No. 2023-86 Bayfield County DNR Cost-Share Grant – Zoning Code Rewrite. Motion carried, 11-0, 2 absent.

Planning & Zoning Committee Report No. 2023-09

Petition to Amend Section 13-1-26 of the Code of Ordinances, Bayfield County, Wisconsin

AN ORDINANCE AMENDING SECTIONS 13-1-26, CODE OF ORDINANCES, BAYFIELD COUNTY, WISCONSIN.

Subsection (a) (2) of Section 13-1-26 [Substandard Lots of Record] of Article B [Substandard Lots of Record of Chapter 1 [Zoning] of Title 13 [Zoning] of the Code of Ordinances, Bayfield County, Wisconsin is hereby “*amended*” to read as follows, with deletions highlighted by the double strike-through feature (~~deletions~~):

- (2) A non-shoreland substandard lot or contiguous lots of record which is or are served by a public sanitary sewer, ~~and which is or are at least 7500 sq. ft. in area and 50 ft. in width at the building line~~

The Bayfield County Planning and Zoning Committee recommendation is:

- ☒ **Be Approved**
☐ **Be Approved with modification**
☐ **Be Disapproved.**

Motion by Strand, seconded by Oswald to receive and place on file Report No. 2023-09 Petition to Amend Section 13-1-26 of the Code of Ordinances, Bayfield County, Wisconsin. Motion carried, 11-0, 2 absent.

Pocernich asked that a member from the Zoning Department be present in the future to deliver updates or answer questions.

Bayfield County Amendatory Ordinance No. 2023-09

Petition to Amend Section 13-1-26 of the Code of Ordinances, Bayfield County, Wisconsin

WHEREAS, Wisconsin Statutes §59.69 (5) authorizes the County Board to adopt a zoning ordinance; and

WHEREAS, Wisconsin Statutes §59.69(5)(e) authorizes the County Board to amend an ordinance; and

WHEREAS, Section 13-1-104 Code of Ordinances, Bayfield County, Wisconsin authorizes the County Board to make amendments to Title 13, Chapter 1 of the Code of Ordinances, Bayfield County, Wisconsin pursuant to Wisconsin Statutes §59.69; and

WHEREAS, it is deemed in the best interest of the County of Bayfield to amend Section 13-1-26 (a)(2) Code of Ordinances, Bayfield County, Wisconsin to *delete language that requires a non-shoreland substandard lot or lots served by a public sanitary sewer to also be at least 7500 square feet in area and 50 feet in width at the building site in order to be used as a building site; and*

NOW, THEREFORE, the Bayfield County Board of Supervisors does hereby ordain as follows:

Sec. 13-1-26 Substandard Lots of Record.

Section 1. Subsection (a) [2] of Section 13-1-26 [Substandard Lots of Record] of Article B [Substandard Lots of Record of Chapter 1 [Zoning] of Title 13 [Zoning] of the Code of Ordinances, Bayfield County, Wisconsin is hereby “amended” to read as follows, with deletions highlighted by the double strike-through feature (~~deletions~~):

- (2) A non-shoreland substandard lot or contiguous lots of record which is or are served by a public sanitary sewer, ~~and which is or are at least 7500 sq. ft. in area and 50 ft. in width at the building line~~

Section 2. Except as specifically modified and amended by this ordinance, the Bayfield County Code of Ordinance shall remain in force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this ordinance are hereby repealed.

Section 3. **SEVERABILITY.** If a court of competent jurisdiction adjudges any section, clause, provision, or portion of this ordinance unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby.

Section 4. **EFFECTIVE DATE.** This ordinance shall take effect and be in full force from and after its passage.

Motion by Strand, seconded by Rautio to adopt Amendatory Ordinance No. 2023-09 Petition to Amend Section 13-1-26 of the Code of Ordinances, Bayfield County, Wisconsin. Motion carried, 11-0, 2 absent.

Planning & Zoning Committee Report No. 2023-10

Petition to Amend Section 13-1-62A of the Code of Ordinances, Bayfield County, Wisconsin

AN ORDINANCE AMENDING SECTIONS 13-1-62A, CODE OF ORDINANCES, BAYFIELD COUNTY, WISCONSIN.

13-1-62A Moratorium on Importing Shipping Containers to Bayfield County

- (a) **Authority.** This ordinance is adopted pursuant to the powers granted under Wisconsin Constitution, and Wisconsin Statutes including but not limited to Section 59.02(2) and 59.69.
- (b) **Title and Purpose.** The title of this ordinance is the Moratorium on the placement of shipping containers / intermodal containers in Bayfield County.

The purpose of this ordinance is to allow Bayfield County to impose a moratorium providing adequate time to study, review, consider and determine whether amendments to the Zoning Ordinance or other ordinances is necessary to adequately encourage planned and orderly land use development; to protect property values and the property tax base in Bayfield County.

- (c) **Adoption.** This ordinance, adopted by a majority vote of the Bayfield County Board of Supervisors with a quorum present and proper notice having been given, provides for the imposition of a moratorium on the placement of shipping containers/intermodal containers. The moratorium does not apply to shipping containers/intermodal containers that have been placed prior to the adoption of this ordinance.
- (d) **Moratorium Imposed.** The Bayfield County Board of Supervisors hereby imposes a moratorium on the placement of shipping containers/intermodal containers brought into Bayfield County that are to be housed in Bayfield County. The moratorium does not apply to shipping containers/intermodal containers that have been placed prior to the adoption of this ordinance. Further, each landowner shall be permitted to temporarily place one (1) shipping container/intermodal container on each parcel of land for a period of no more than twelve (12) months. A temporary zoning permit from Bayfield County Planning and Zoning is required. Any shipping container/intermodal container that is temporarily placed shall be subject to any zoning regulations that may be enacted at the conclusion of this moratorium.
- (e) **Duration of Moratorium.** This moratorium shall be in effect for a period of eight months from the date this ordinance is passed by the County Board unless the County Board rescinds this moratorium at an earlier date, or until the County Board adopts amendments to the Bayfield County Code of Ordinances, creates new ordinances, or rescinds this moratorium. This moratorium may be extended for up to 12 more months by a majority vote of the Bayfield County Board of Supervisors.

Motion by Oswald, seconded by Fickbohm to receive and place on file Report No. 2023-10 Petition to Amend Section 13-1-62A of the Code of Ordinances, Bayfield County, Wisconsin. Motion carried, 11-0, 2 absent.

Bayfield County Amendatory Ordinance No. 2023-10

Petition to Amend Section 13-1-62A of the Code of Ordinances, Bayfield County, Wisconsin

WHEREAS, Wisconsin Statutes §59.03(2) provides that, except as elsewhere specifically provided in the statutes, the board of any county is vested with all powers of a local, legislative and administrative character; *and*

WHEREAS, Wisconsin Statutes §59.02(2) permits the enactment of ordinances by the County Board of Supervisors; *and*

WHEREAS, Wisconsin Statutes §59.69 authorizes the County Board of Supervisors to adopt regulations to promote public health, safety and general welfare, to encourage planned and orderly land use development; to protect property values and the property tax base; *and*

WHEREAS, Bayfield County residents and property owners have expressed concerns about the importance of preserving the aesthetics that could be affected by the placement of shipping containers/intermodal containers in the county; *and*

WHEREAS, there is a need for adequate time to determine whether amendments to the Bayfield County Code of Ordinances is necessary to adequately encourage planned and orderly land use development; to protect property values and the property tax base; *and*

WHEREAS, it is deemed to be in the best interest of the County of Bayfield to create Section 13-1-62A "Moratorium on the placement of shipping containers / intermodal containers in Bayfield County under Title 13 "Zoning Code", Code of Ordinances, Bayfield County, Wisconsin; *and*

WHEREAS, it is deemed to be in the best interest of the County of Bayfield that the Code of Ordinances, Bayfield County, Wisconsin, be further modified and amended in the manner hereinafter set forth.

NOW, THEREFORE, the Bayfield County Board of Supervisors does hereby ordain as follows:

Section 1. Section 13-1-62A [Moratorium on the placement of shipping containers / intermodal containers in Bayfield County] of Title 13 [Zoning Code] of the Code of Ordinances, Bayfield County, Wisconsin is hereby created to read as follows:

13-1-62A Moratorium on Importing Shipping Containers to Bayfield County

(a) **Authority.** This ordinance is adopted pursuant to the powers granted under Wisconsin Constitution, and Wisconsin Statutes including but not limited to Section 59.02(2) and 59.69.

(b) **Title and Purpose.** The title of this ordinance is the Moratorium on the placement

of shipping containers / intermodal containers in Bayfield County.

The purpose of this ordinance is to allow Bayfield County to impose a moratorium providing adequate time to study, review, consider and determine whether amendments to the Zoning Ordinance or other ordinances is necessary to adequately encourage planned and orderly land use development; to protect property values and the property tax base in Bayfield County.

- (c) **Adoption.** This ordinance, adopted by a majority vote of the Bayfield County Board of Supervisors with a quorum present and proper notice having been given, provides for the imposition of a moratorium on the placement of shipping containers/intermodal containers. The moratorium does not apply to shipping containers/intermodal containers that have been placed prior to the adoption of this ordinance.
- (d) **Moratorium Imposed.** The Bayfield County Board of Supervisors hereby imposes a moratorium on the placement of shipping containers/intermodal containers brought into Bayfield County that are to be housed in Bayfield County. The moratorium does not apply to shipping containers/intermodal containers that have been placed prior to the adoption of this ordinance. Further, each landowner shall be permitted to temporarily place one (1) shipping container/intermodal container on each parcel of land for a period of no more than twelve (12) months. A temporary zoning permit from Bayfield County Planning and Zoning is required. Any shipping container/intermodal container that is temporarily placed shall be subject to any zoning regulations that may be enacted at the conclusion of this moratorium. This provision shall also apply to unpermitted containers that were placed after March 30th, 2021.
- (e) **Duration of Moratorium.** This moratorium shall be in effect for a period of eight months from the date this ordinance is passed by the County Board unless the County Board rescinds this moratorium at an earlier date, or until the County Board adopts amendments to the Bayfield County Code of Ordinances, creates new ordinances, or rescinds this moratorium. This moratorium may be extended for up to 12 more months by a majority vote of the Bayfield County Board of Supervisors.

Section 2. Except as specifically modified and amended by this ordinance, the Bayfield County Code of Ordinance shall remain in force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this ordinance are hereby repealed.

Section 3. **SEVERABILITY.** If a court of competent jurisdiction adjudges any section, clause, provision, or portion of this ordinance unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby.

Section 4. **EFFECTIVE DATE.** This ordinance shall take effect and be in full force from and after its passage.

Motion by Oswald, seconded by Ray to adopt Amendatory Ordinance No. 2023-10 Petition to Amend Section 13-1-62A of the Code of Ordinances, Bayfield County, Wisconsin. Motion carried, 11-0, 2 absent.

Bayfield County Resolution No. 2023-87:

Authorizing Updating Planning and Zoning Department Software

WHEREAS, the Planning and Zoning Committee and Department are searching for new software for the public and Department to use to help streamline and simplify the permit process while making remote entry and application easy; *and*,

WHEREAS, the Planning and Zoning Committee approved proceeding with selecting a new dedicated Planning and Zoning Software Program; *and*,

WHEREAS, the Planning and Zoning Department has evaluated multiple software programs with a focus on reducing duplicate entries and ease of entry for remote applicants;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 29th day of August, 2023 hereby authorizes the purchase of New Planning and Zoning Permitting and Licensing Software in the amount of \$50,000; *and*,

BE IT FURTHER RESOLVED, that the board hereby authorizes the purchase of the software out of the Planning and Zoning budget; *and*,

BE IT FURTHER RESOLVED, that the board hereby authorizes the use of ARPA funding for the project using line item: 276-00-54210-50290.

Motion by Strand, seconded by Sandstrom to adopt Resolution No. 2023-87 Authorizing Updating Planning and Zoning Department Software. Roll Call Vote: Pocernich-no; Crandall-yes; Rekemeyer-yes; Milanowski-no; Rautio-no; Strand-yes; Oswald-yes; Fickbohm-yes; Dougherty-yes; Sandstrom-yes; Ray-yes; Rondeau-absent; Silbert-absent. Motion carried, 8-3, 2 absent.

Bayfield County Resolution No. 2023-88:

Supporting an Application for NextGen 911 GIS Grant

WHEREAS, the Wisconsin Department of Military Affairs is accepting grants for NextGen 911 Data Readiness; *and*,

WHEREAS, Bayfield County is planning on preparing data for dispatch operations; *and*,

WHEREAS, Additional work is needed for field verification of 911 addresses and compilation into updated databases; *and*,

WHEREAS, the grant will include temporary staffing and contractual work;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 29th day of August 2023, approves Bayfield County applying for a NextGen 911 GIS grant.

Motion by Sandstrom, seconded by Oswald to adopt Resolution No. 2023-88 Supporting an Application for NextGen 911 GIS Grant. Motion carried, 11-0, 2 absent.

Bayfield County Resolution No. 2023-89:

To Accept Wisconsin Public Health Vending Machine Grant

WHEREAS, the Bayfield County Health Department has received grant funding in the amount of \$110,000.00 from the State of Wisconsin, Department of Health Services to help protect and promote the health and safety of community members. Many people do not seek assistance or services for addiction due to a fear of being judged and arrested. Public Health vending machines act as a highly accessible, safe option for people to obtain free lifesaving help. The grant covers purchase of two outdoor vending machines, equipment to install and operate a public health vending machine, supplies to stock a vending machine, and print materials and advertising to promote the location of a public health vending machine. Grant start date is approximately August 14, 2023. Total award to be expended by September 30, 2023; *and*,

WHEREAS, the 2023 Budget does not contain any projections to account for any revenue or expenditures for said grant; *and*,

WHEREAS, it is the desire of the Bayfield County Board of Health to accept and expend said grant in 2023;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 29th day of August, 2023 hereby authorizes the use of Revenue Account Number 100-20-43550-157 and Expense Account Number 100-20-54157 for the Public Health Vending Machine Grant; *and*,

BE IT FURTHER RESOLVED, that the Bayfield County Board of Supervisors hereby amends the 2023 budget by \$110,000.00 for grant revenue/expenses.

Increase Revenue:

100-20-43550-157	Public Health Vending Machine Grant	by	\$110,000
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Increase Expenses:

100-20-54157-50290	Contractual Services	by	\$ 20,000
100-20-54157-50313	Printing & Duplication	by	\$ 750
100-20-54157-50315	Advertising	by	\$ 5,500
100-20-54157-50340	Operating Supplies	by	\$ 4,500
100-20-54157-50348	Educational Supplies	by	\$ 1,750
100-20-54157-50390	Other Supplies and Expense	by	\$ 4,500
100-20-54157-50391	Medical/Medical Supplies	by	\$ 43,000
100-20-54157-50810	Capital Equipment	by	<u>\$ 30,000</u>

Total Expenses:			\$110,000
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Motion by Oswald, seconded by Milanowski to adopt Resolution No. 2023-89 To Accept Wisconsin Public Health Vending Machine Grant. Roll Call Vote: Pocernich-yes; Crandall-yes; Sandstrom-yes; Dougherty-yes; Rekemeyer-yes; Milanowski-yes; Strand-yes; Oswald-yes; Fickbohm-yes; Ray-yes; Rautio-yes; Rondeau-absent; Silbert-absent. Motion carried, 11-0, 2 absent.

Bayfield County Resolution No. 2023-90:

Supporting an Application for Funding through the Wisconsin Department of Transportation TEA Grant Program for Completion of Arganbright Road, in the Bayfield County Business Park

WHEREAS, Bayfield County has invested significant time, energy, and funds into economic development efforts in the county; *and*,

WHEREAS, Bayfield County has invested in the Business Park on US 2 Bordered by State Highway 137 and State Farm Road including constructing half of Arganbright Road off of State Farm Road; *and*,

WHEREAS, Several businesses have expressed interest in siting at the Bayfield County Business Park but need access via a road extension; *and*,

WHEREAS, financial demands on the County related to this and other projects, the County is in need for transportation assistance to develop adequate infrastructure for business in the County; *and*,

WHEREAS, inflationary costs together with the increasing cost of labor and declining timber revenues from the county forest are creating funding shortfalls for essential public services; *and*,

WHEREAS, Bayfield County is working closely with two businesses, the Town of Eileen and the Wisconsin Department of Transportation to facilitate business expansion within Bayfield County and the State of Wisconsin; *and*,

WHEREAS, the Bayfield County Executive Committee has approved and endorsed this submittal and approves proceeding with a TEA application; *and*,

WHEREAS, a road capable of heavy loading is required with a sufficient roadbed to support the continuous access and durability to sustain truck traffic to and from the business on a year-round basis; *and*,

WHEREAS, Bayfield County supports an application for funding through the Wisconsin Department of Transportation TEA Grant program to complete the construction of Arganbright Road within the Bayfield County Business Park; *and*,

WHEREAS, the TEA Grant requires a minimum of a 50% local match; *and*,

WHEREAS, Bayfield County does not have sufficient resources to cover the entire project cost; *and*,

WHEREAS, the estimated cost of the project is approximately \$550,000 the approximate cost breakdown (based on jobs created or retained) will be \$175,000 State DOT, \$60,000 Business and \$315,000 County;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 29th day of August 2023, do hereby support an application to the Wisconsin Department of Transportation for funding through the TEA Grant Program to facilitate the upgrade of a portion of Arganbright Road connecting State Farm Road and State Highway 137; *and*,

BE IT FURTHER RESOLVED, that Bayfield County will serve as the grant sponsor and administrator for this project and the Bayfield County Administrator shall be authorized to complete and sign program documents and contracts; *and*,

BE IT FURTHER RESOLVED THAT, the County is willing to sign a jobs guarantee; *and*,

BE IT FURTHER RESOLVED THAT, the County will administer and oversee the development of the transportation improvements; *and*,

BE IT FURTHER RESOLVED THAT, the County will comply with all applicable Federal, State and Local Regulations.

Motion by Milanowski, seconded by Rautio to adopt Resolution No. 2023-90 Supporting an Application for Funding through the Wisconsin Department of Transportation TEA Grant Program for Completion of Arganbright Road, in the Bayfield County Business Park. Roll Call Vote: Sandstrom-yes; Fickbohm-yes; Oswald-yes; Strand-yes; Milanowski-yes; Crandall-yes; Pocernich-yes; Dougherty-yes; Ray-yes; Rautio-yes; Rekemeyer-yes; Silbert-absent; Rondeau-absent. Motion carried, 11-0, 2 absent.

Bayfield County Resolution No. 2023-91

Bayfield County Request for Assistance for Improvements to the Fish Creek Park and Ride Lot on US Highway 2

WHEREAS, the unofficial Park and Ride Lot on US Highway 2 across from the Northern Great Lakes Visitor Center is used heavily; *and*,

WHEREAS, Residents from throughout the region use this parking to ride share conserving energy and financial resources; *and*,

WHEREAS, there are no recognized WisDOT Park and Rides on US Highway 2 or in Northern Wisconsin; *and*,

WHEREAS, Bayfield County has long maintained this Park and Ride on WisDOT Right of Way; *and*,

WHEREAS, this Park and Ride is ideally sized and located for Northern Wisconsin; *and*,

WHEREAS, Parking during severe and inclement weather can be treacherous as the surface is not paved;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 29th day of August, 2023 requests that WisDOT improve this parking area by paving and lighting this lot; *and*,

BE IT FURTHER RESOLVED, that Bayfield County commits to continued maintenance including plowing, repairs and crack sealing as required.

Motion by Crandall, seconded by Milanowski to adopt Resolution No. 2023-91 Bayfield County Request for Assistance for Improvements to the Fish Creek Park and Ride Lot on US Highway 2. Motion carried, 11-0, 2 absent.

Bayfield County Resolution No. 2023-92

DNR Lake Monitoring & Protection Network Grant Bayfield County Aquatic Invasive Species Project 2024

WHEREAS, Bayfield County is committed to provide high quality water resources for use by the public for recreation and enjoyment of natural beauty; *and*,

WHEREAS, Bayfield County is presently implementing the Bayfield County Aquatic Invasive Species Strategic Plan, revised and adopted in November 2016, to protect all water resources in the county from introductions of aquatic invasive species, to control those aquatic invasive species populations that exist, and to help safeguard water quality, wildlife habitat, property values and the tourism industry; *and*,

WHEREAS, we recognize some activities of the plan need to be altered to strengthen the overall prevention and containment strategies, and improve the risk assessment of AIS in the majority of high use water bodies in the county; *and*,

WHEREAS, we are committed, experienced, networked, and qualified to carry out the responsibilities of a lake monitoring & protection network grant;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 29th day of August 2023, requests grant funding and assistance available from the Wisconsin Department of Natural Resources under the “Lake Monitoring & Protection Network” and hereby authorizes the County Conservationist, Land and Water Conservation Department, to act on behalf of Bayfield County to:

- submit an application to the State of Wisconsin for financial aid for lake monitoring and protection purposes;
- sign documents;

- take necessary action to undertake, direct, and complete an approved lake monitoring and protection network grant; and
- submit reimbursement claims along with necessary supporting documentation within three months of project completion date; *and*,

BE IT FURTHER RESOLVED THAT Bayfield County will meet the obligations of the lake monitoring and protection network project including timely publication of the results and meet the financial obligations of a lake monitoring and protection grant.

Motion by Rautio, seconded by Ray to adopt Resolution No. 2023-92 DNR Lake Monitoring & Protection Network Grant Bayfield County Aquatic Invasive Species Project 2024. Motion carried, 11-0, 2 absent.

Reports:

a) Future County Board Meeting Dates:

- September 26, 2023
- October 31, 2023
- November 14, 2023 (statutory requirement)

b) Proposed 2024 Budget Presentation to Exec Committee, September 14, multiple special meetings to follow

- Artesian Well Committee Report:** Ray reported that the committee has finished their final report and asked that the report be distributed to the full board. The committee will be holding public listening sessions for public input that would be presented to either the Executive Committee or County Board. Abeles-Allison stated the topic of education is incredibly important to maintain flowing wells in the county.

Supervisory Reports: Oswald reported that Quaderer informed the Sheriff's Committee that there have been problems with EMS services responding to calls. More details will be provided later.

Sandstrom reported that he met with the Red Cliff Tribal Council the previous week to provide a report from the county. The EMS response issue came up at the meeting and Red Cliff was involved with a number of calls where staff was unable to respond. Red Cliff has lost two of their EMTs but have instilled a training program to train EMTs in Red Cliff.

Rekemeyer reported that the Concert in the Corn in Cornucopia and the event had approximately 4,000 attendees. Rekemeyer stated the event was very well-organized and attendees felt very safe.

Abeles-Allison reported that the county is in the middle of completing the 2024 budget and this year is proving to be a challenging year to meet the county's operational needs with many more limitations than expected.

Chairman Pocernich reminded the board of the WCA Annual Conference. Bayfield County had presented six resolutions to the WCA for the conference and two were indefinitely postponed while the other four were adopted. The county will have until September 1 to make any amendments to the resolutions.

Adjournment: There being no further business to come before the Bayfield County Board of Supervisors, Chairman Pocernich adjourned the meeting at **8:11 p.m.**

Respectfully submitted,

LYNN M. DIVINE
Bayfield County Clerk

LMD/pat